

# INTERNATIONAL SEARCH REPORT

International Application No  
**PCT/EP2004/006544**

## A. CLASSIFICATION OF SUBJECT MATTER

**IPC 7 B01J2/04 A23D7/00 A23D7/04**

According to International Patent Classification (IPC) or to both national classification and IPC

## B. FIELDS SEARCHED

Minimum documentation searched (classification system followed by classification symbols)

**IPC 7 B01J A23D**

Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched

Electronic data base consulted during the international search (name of data base and, where practical, search terms used)

**EPO-Internal, WPI Data, FSTA, MEDLINE, BIOSIS**

## C. DOCUMENTS CONSIDERED TO BE RELEVANT

Category	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
X	US 2002/048606 A1 (ZAWISTOWSKI JERZY) 25 April 2002 (2002-04-25) paragraphs [0007] - [0010], [0012] - [0031] paragraphs [0036] - [0041] paragraphs [0043] - [0051] examples 1,2	1,4-7
X	----- BELITZ H.D., GROSCH W.: "Food Chemistry, Second Edition" 1999, SPRINGER-VERLAG, BERLIN HEIDELBERG NEW YORK, XP002264854 ISBN: 3-540-64692-2 page 472; table 10.4 ----- -/-	1,4-6

☒ Further documents are listed in the continuation of box C

☒ Patent family members are listed in annex.

\* Special categories of cited documents:

"A" document defining the general state of the art which is not considered to be of particular relevance

"E" earlier document but published on or after the international filing date

"L" document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified)

"O" document referring to an oral disclosure, use, exhibition or other means

"P" document published prior to the international filing date but later than the priority date claimed

"T" later document published after the international filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention

"X" document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone

"Y" document of particular relevance, the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art.

"Z" document member of the same patent family

Date of the actual completion of the international search

**5 November 2004**

Date of mailing of the international search report

**28. 01. 2005**

Name and mailing address of the ISA

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# INTERNATIONAL SEARCH REPORT

International Application No  
PCT/EP2004/006544

C.(Continuation) DOCUMENTS CONSIDERED TO BE RELEVANT		
Category *	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
X	ANONYMOUS: "Particle sizes of milk powders" DAIRY INGREDIENTS FAX, vol. 2, no. 4, 8 August 2001 (2001-08-08), XP002264853 tables	1,4-6
X	----- US 6 468 578 B1 (MAYER KLAUS ET AL) 22 October 2002 (2002-10-22) column 3, line 49 - column 5, line 28	1,4-7
X	----- US 4 889 740 A (PRICE JUDITH E) 26 December 1989 (1989-12-26) column 2, line 36 - column 3, line 46 column 4, line 27 - line 41 column 5, line 5 - line 15 column 6, line 2 - line 22	1,4-7
X	----- EP 0 021 483 A (PROCTER & GAMBLE) 7 January 1981 (1981-01-07) the whole document	1,4-7
X	----- US 2002/034577 A1 (VOGENSEN BENT KVIST ET AL) 21 March 2002 (2002-03-21) examples 7,8 paragraphs [0002], [0012] - [0018] paragraphs [0022], [0025], [0026] paragraphs [0034] - [0040], [0042] paragraphs [0063], [0066] - [0070], [0072] paragraph [0108]	1,4-6
X	----- US 6 190 680 B1 (YOSHINO HISAKO ET AL) 20 February 2001 (2001-02-20) column 2, line 18 - line 42 column 5, line 20 - line 61 column 6, line 56 - column 8, line 24	1,4-6
X	----- US 4 375 483 A (SHUFORD CHARLES E ET AL) 1 March 1983 (1983-03-01) the whole document	1,4-7
X	----- US 5 516 543 A (AMANKONAH OFORI J ET AL) 14 May 1996 (1996-05-14) claims; figure 1; example 13	1,4-7
X	----- EP 0 572 051 A (UNILEVER PLC ;UNILEVER NV (NL)) 1 December 1993 (1993-12-01) the whole document	1,4-7
A	----- EP 0 744 992 B (WEIDNER ECKHARD ; KNEZ ZELJKO (SI); NOVAK ZORAN (SI)) 4 December 1996 (1996-12-04) cited in the application example 4; table 2 ----- -/--	

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International Application No

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## C.(Continuation) DOCUMENTS CONSIDERED TO BE RELEVANT

Category *	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
A	US 2 521 219 A (HOLMAN GEORGE W ET AL) 5 September 1950 (1950-09-05) the whole document	
A	----- TÜRK M ET AL: "Micronization of pharmaceutical substances by the Rapid Expansion of Supercritical Solutions (RESS): a promising method to improve bioavailability of poorly soluble pharmaceutical agents" JOURNAL OF SUPERCRITICAL FLUIDS, PRA PRESS, US, vol. 22, no. 1, January 2002 (2002-01), pages 75-84, XP004313515 ISSN: 0896-8446 the whole document -----	7-16

## INTERNATIONAL SEARCH REPORT

International application No.  
PCT/EP2004/006544

### Box II Observations where certain claims were found unsearchable (Continuation of Item 2 of first sheet)

This International Search Report has not been established in respect of certain claims under Article 17(2)(a) for the following reasons:

1. ☐ Claims Nos.:  
because they relate to subject matter not required to be searched by this Authority, namely:
2. ☒ Claims Nos.:  
because they relate to parts of the International Application that do not comply with the prescribed requirements to such an extent that no meaningful International Search can be carried out, specifically:  
**see FURTHER INFORMATION sheet PCT/ISA/210**
3. ☐ Claims Nos.:  
because they are dependent claims and are not drafted in accordance with the second and third sentences of Rule 6.4(a).

### Box III Observations where unity of invention is lacking (Continuation of Item 3 of first sheet)

This International Searching Authority found multiple inventions in this international application, as follows:

**see additional sheet**

1. ☐ As all required additional search fees were timely paid by the applicant, this International Search Report covers all searchable claims.
2. ☐ As all searchable claims could be searched without effort justifying an additional fee, this Authority did not invite payment of any additional fee.
3. ☐ As only some of the required additional search fees were timely paid by the applicant, this International Search Report covers only those claims for which fees were paid, specifically claims Nos.:
4. ☒ No required additional search fees were timely paid by the applicant. Consequently, this International Search Report is restricted to the invention first mentioned in the claims; it is covered by claims Nos.:

**1-16**

**Remark on Protest**

- ☐ The additional search fees were accompanied by the applicant's protest.
- ☐ No protest accompanied the payment of additional search fees.

## FURTHER INFORMATION CONTINUED FROM PCT/ISA/ 210

## Continuation of Box II.2

Present claim 2, 5 and 6 relate to a product defined (inter alia) by reference to the following parameters:

P1: ... the solid ... particles are at least 50% alpha-polymorph

P2: ... an average diameter D<sub>3,2</sub> of ...

The use of these parameters in the present context is considered to lead to a lack of clarity within the meaning of Article 6 PCT. It is impossible to compare the parameters the applicant has chosen to employ with what is set out in the prior art. The lack of clarity is such as to render a meaningful complete search impossible. Consequently, the search has been restricted to the rest of the features present in the claims.

The applicant's attention is drawn to the fact that claims relating to inventions in respect of which no international search report has been established need not be the subject of an international preliminary examination (Rule 66.1(e) PCT). The applicant is advised that the EPO policy when acting as an International Preliminary Examining Authority is normally not to carry out a preliminary examination on matter which has not been searched. This is the case irrespective of whether or not the claims are amended following receipt of the search report or during any Chapter II procedure. If the application proceeds into the regional phase before the EPO, the applicant is reminded that a search may be carried out during examination before the EPO (see EPO Guideline C-VI, 8.5), should the problems which led to the Article 17(2) declaration be overcome.

**FURTHER INFORMATION CONTINUED FROM PCT/ISA/ 210**

This International Searching Authority found multiple (groups of) inventions in this international application, as follows:

1. claims: 1-16

Process for obtaining an edible dispersion comprising oil.

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2. claims: 17-21

Use of micronised fat powder to stabilise an edible dispersion comprising oil.

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# INTERNATIONAL SEARCH REPORT

Information on patent family members

International Application No

PCT/EP2004/006544

Patent document cited in search report	Publication date	Patent family member(s)	Publication date
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Information on patent family members

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